

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION

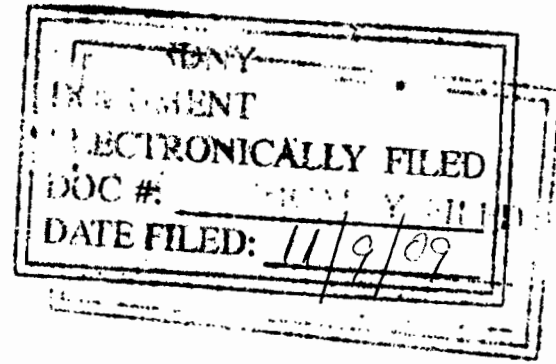
-v.-

COLLINS & AIKMAN
CORPORATION, et al.,

Defendants.

ORDER

07 Civ. 2419 (SAS)



Upon the annexed application of Preet Bharara, United States Attorney for the Southern District of New York, for an order pursuant to Title 18, United States Code, Sections 6002 and 6003, compelling Paul C. Barnaba to testify and to provide other information in Securities and Exchange Commission v. Collins & Aikman Corp., 07 Civ. 2419 (SAS), in the United States District Court for the Southern District of New York, and upon the declaration of Assistant United States Attorney Joshua Klein, submitted in support thereof; and it appearing that,

1. Paul C. Barnaba has been asked to testify in a pretrial deposition and/or the trial of Securities and Exchange Commission v. Collins & Aikman Corp., 07 Civ. 2419 (SAS), in the United States District Court for the Southern District of New York.; and,

2. It is expected that Paul C. Barnaba will refuse to testify on the basis of his privilege against self-incrimination; and,

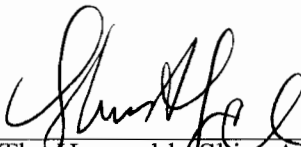
3. It is the judgment of the United States Attorney that the testimony and other information that Paul C. Barnaba could give in Securities and Exchange Commission v. Collins & Aikman Corp., 07 Civ. 2419 (SAS), may be necessary to the public interest; and

Upon the approval of the aforesaid application by the Department of Justice, by the Assistant Attorney General, pursuant to the authority vested in him by Title 18, United States Code, Section 6003(b), and Title 28, Code of Federal Regulations, Section 0.175(a); it is hereby:

ORDERED that, pursuant to Title 18, United States Code, Sections 6002 and 6003, Paul C. Barnaba give testimony and provide other information as to all matters about which he may be questioned in Securities and Exchange Commission v. Collins & Aikman Corp., 07 Civ. 2419 (SAS); and

IT IS FURTHER ORDERED that, pursuant to Title 18, United States Code, Sections 6002 and 6003, no testimony or other information compelled under this Order, or any information directly or indirectly derived from such testimony or other information, may be used against Paul C. Barnaba in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this Order.

This Order shall become effective only if after the date of this Order Paul C. Barnaba refuses to testify or provide other information on the basis of his privilege against self-incrimination.


The Honorable Shira A. Scheindlin
United States District Judge
Southern District of New York

Dated: New York, New York

November 9, 2009